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FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ JUL 08 2011 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MORAN TOWING CORPORATION

Plaintiff,

-against-

THE BARGE NEW JERSEY, HER TACKLE,
ETC. *IN REM*, THE BARGE NEW YORK,
HER TACKLE, ETC. *IN REM*, AND
AMERICAN STEVEDORING INC., *IN*
PERSONAM

Defendants.

11 Civ. 2636 (SLT)

CONSENT ORDER
STAYING VESSEL ARREST

WHEREAS, the Barge NEW JERSEY is presently under arrest in this District; and

WHEREAS on July 5, 2011, the Court Ordered the Clerk to issue a Warrant to re-arrest the Barge NEW YORK and on July 6, 2011, the Clerk issued Warrants for the Arrest of the Barge NEW YORK, and

WHEREAS, the Barge NEW YORK has not yet been arrested; and

WHEREAS, Plaintiff Moran Towing Corporation ("Moran"), Defendant American Stevedoring ("ASI") and Party-in-Interest the Port Authority of New York and New Jersey (the "Port Authority"), desire that execution of the Warrant of Arrest of the Barge NEW YORK be temporarily stayed to allow ASI to continue to operate the barge while the parties attempt to

reach a resolution of the Moran's lien claims and the parties believe substantial progress has been made in reaching a resolution of such claims; and

WHEREAS, it appears that the interests of justice would be served if the execution of the warrant is temporarily stayed and the matter resolved among the parties without further proceedings in this court;

NOW THEREFORE, on consent of the attorneys for all the parties hereto, it is

ORDERED that the execution of the Warrant of Arrest for the Barge NEW YORK, its tackle, etc., is hereby stayed until further request by Plaintiff to lift the stay and execute the warrant of arrest by order of this Court.

And it is further

ORDERED, that the United States Marshall be held harmless for any and all expenses incurred during the time of seizure of said vessel.

Entry of above order is hereby consented to. Except as otherwise expressly set forth herein, such consent is not a discharge of and is without prejudice to Plaintiff's claim of a maritime lien against the Barge New York, shall not constitute a waiver of any of the parties' rights with regard to the aforesaid arrests or future arrests, does not affect the arrest of the Barge NEW JERSEY, and does not constitute a waiver of any defense and/or assertion of rights that ASI and the Port Authority may have in connection therewith.

Dated: New York, NY
July 7, 2011

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Dated: July 8, 2011

U.S.D.J.